DEPOSE OF E CORP. ORIGINAL

07-57

### DENSON & ASSOCIATES INC.

**ADVERTISING** 

FILED/ACCEPTED AUG 2 7 2007

The Honorable Deborah Taylor Tate Commissioner, Federal Communications Commission 445 12th Street, SW

Federal Communications Commission Office of the Secretary

Washington, DC 20554

Dear Commissioner Tate:

I hope all is going well in Washington, although I'm sure you are keeping up a very heetic schedule.

As you know, my entire career has been spent either selling or buying media — the last eighteen years for my ad agency, Denson & Associates. I try to keep a close eye on trends in the radio and television markets and how those developments might impact our clients as well as our business, and, most importantly, the industry at large.

I have closely followed the debate surrounding the proposed merger between XM Satellite Radio and Sirius Satellite Radio and, given my experience, I feel it is imperative for me to weigh in against the merger's approval, despite the financial struggles or success or either company.

It appears to me that letting these two companies merge would create a monopoly on a regulated industry setting a horrific precedent. The FCC made it clear when these companies were launched that they were prohibited from ever merging. The satellite radio sector has not changed one iota — XM and Sirius remain the only two competitors — and allowing the merger will be a disaster for consumers who will be left with inferior service at a higher price.

I am reminded of what happens in TV markets with cable. As consumers we have few choices, and when we do, they are defined for us by the only cable system available, hence, higher costs and less service. This is exactly what a merger of XM and Sirius would do, yet on a national level; and worse, as many young people have satellite radio and cannot afford higher costs.

In light of the serious questions surrounding this proposed merger, I hope you will do everything you can to ensure it is rejected.

I know you are extremely busy, so I appreciate your time and attention. Please feel free to call me if you have additional questions. Otherwise, I hope to see you soon.

Sincerely

John@densononline.com

DENSON & ASSOCIATES INC.

ADVERTISING

3813 CLEGHORN AVE NASHVILLE, TN 37215 615-383-9407 EXT 224 615-383-9868 FAX www.densononline.com No. of Copies rec'd O

## ALAN E. HALL

700 Vail Court ~ Nashville, TN 37215 ~ H: 615-298-9333 ~ C: 615-330-3839 ~ alan@hallworld.net

August 10, 2007

The transfer of the Continued and the Continued

07-57

The Honorable Deborah Taylor Tate Commissioner Federal Communications Commission 445 12th Street, SW Washington, DC 20554

FILED/ACCEPTED AUG 2 7 2007

Federal Communications Commission Office of the Secretary

Dear Debi:

I saw you the other night at the Seigenthaler event, and I'm sorry we did not get a chance to speak as Beth and I had another event we had to get to. I'm sure you must really be enjoying your work at the FCC.

As you know, I have been in the public relations business for more than 20 years so I closely follow developments in both the print and broadcast media and how they might impact my clients.

After reading numerous news articles the proposed merger between XM Satellite Radio and Sirius Satellite Radio, I felt compelled to weigh in with my concerns about its potential impact.

Letting these two companies merge would create a monopoly on a regulated industry – setting a dangerous precedent. The FCC made it crystal clear when these companies were launched that they were prohibited from ever merging. The satellite radio sector has not changed one bit – they remain the only two competitors – and allowing them to merge would be a disaster for consumers who would be left with inferior service at a higher price.

Many of the news pieces have reported recently a new structure for XM and Sirius subscriptions – so-called "a la carte" offerings where subscribers could supposedly choose which channels they receive for a lesser fee. However, after digging a little deeper into this issue, it appears to be fool's gold: customers would be forced to buy new equipment to take advantage of the "savings." Further, customers "choices" would be limited to a certain set of channels — meaning that certain premium channels would be unavailable to a la carte subscribers.

I hope you will ensure that this merger proposal is rejected. I plan to check in with you next month, but in the meantime, please let me know if you'd like to discuss this further.

Take care, and please say hello to Bill and your family.

With kindest regards,

No. of Copies rec'd O

Alan Hall

**DEBORAH PATTERSON KOCH** 

07-57

1

1930 19<sup>th</sup> Avenue South Nashville, Tennessee 37212

(615) 298-5920 (615) 330-5300 E-mail: debbykoch@comcast.net

August 22, 2007

FILED/ACCEPTED

AUG 2 7 2007

The Honorable Deborah Taylor Tate Commissioner Federal Communications Commission 445 12th Street, SW Washington, DC 20554

Federal Communications Commission
Office of the Secretary

Dear Debi:

I saw you and Bill at the Seigenthaler event and actually got to talk to him. You both looked great. Wish we could have chatted but it was almost impossible to move in that crowd. I trust all is going well and you are enjoying your work in Washington.

As you know, I have been in the public relations business for more than 25 years so I closely follow issues in the media and how they might impact the PR business.

After seeing numerous reports on the proposed merger between XM Satellite Radio and Sirius Satellite Radio, I felt I needed to pass along my concerns about its potential repercussions.

It seems to me that approval of the merger of these two companies would create a monopoly on a regulated industry – setting a dangerous precedent. As I understand it, the FCC made it abundantly clear when these companies were launched that they were prohibited from ever merging. The satellite radio sector has not changed a bit – they remain the only two competitors – and allowing them to merge could be a disaster for consumers who would be left with inferior service at a higher price.

Many of the news stories have reported recently a new structure for XM and Sirius subscriptions – so-called *a la carte* offerings where subscribers could supposedly choose which channels they receive for a lesser fee. However, after digging a little deeper into this issue, it appears to be a false lure: customers would be forced to buy new equipment to take advantage of the "savings." Further, customers "choices" would be limited to a certain set of channels – meaning that certain premium channels would be unavailable to *a la carte* subscribers.

I know we can count on you to vote against this merger. Thanks for taking the time to review my concerns. Again, it was great to see you. Maybe next time we'll be able to visit!

Sincerely,

Asbby

Deborah Patterson Koch

No. of Copies rec'd *O* Liet ABCDE

# Hines and Company, P.C.

Certified Public Accountants 405 Agnes Road

FILED/ACCEPTED

Post Office Box 11447 Gilling AUG 2 7 2007

Knoxville, Tennessee 37939

Phone: (865) 584-3300 Fax: (865) 588-5757

Federal Communications Commission Office of the Secretary

Jenny L. Hines, CPA Janna S. Hubbs, CPA

Sharon P. Johnson, CPA Norene Hall, CPA

August 20, 2007

The Honorable Deborah Taylor Tate Commissioner Federal Communications Commission 445 12th Street, SW Washington, DC 20554

#### Dear Commissioner Tate:

I have done accounting work for Dick Broadcasting (now owned by Citadel Broadcasting) for twenty years, so I am always interested in developments in the broadcast industry and how they might impact my clients.

I have been closely following the proposed merger between Sirius Satellite Radio and XM Satellite Radio and I've come to the conclusion that this merger would be a disaster for consumers and a black eye for the FCC.

The companies claim that the merger would give subscribers access to the best of both services for a low price. After doing some research, I have determined that it is unlikely that the new company would be able to deliver on this promise.

As I understand it, satellite radio has a "spectrum" just like terrestrial radio – meaning broadcasters can only use a limited amount of stations. Currently both companies have "maxed out" their spectrums and in order to carry the other company's channels, they would need to make room on their spectrum. This can happen if they compress their transmissions, but that would seriously compromise the quality of the reception. Bottom line - consumers would be forced to pay more for less.

If this merger is approved, it would run contrary to recent FCC precedent. The DirecTV/EchoStar merger was rejected because of anti-competition concerns, and yet, there are more players in that market (e.g. cable) than in satellite radio, which has no equivalent national counterpart. That is why I think that the FCC was appropriately definitive when it forbade the satellite companies from ever merging when they were authorized in 1997.

No. of Copies rec'd O

I hope you agree with my assessment of this merger proposal and that you will vigorously oppose it. Please let me know if I can be of further assistance and thanks for giving this your full consideration.

Sincerely . Annus

Jethny L. Hines

# FILED/ACCEPTED

615-292**-**1305

AUG 2 7 2007
Federal Communications Commission

Office of the Secretary

07-57

August 22, 2007

The Honorable Deborah Taylor Tate Commissioner Federal Communications Commission 445 12th Street, SW Washington, DC 20554

Dear Commissioner Tate:

I've missed seeing you around town. I hope everything is going well for you in Washington and that you are enjoying your service at the FCC. I'm sure it's a challenge, but I'm confident you are more than capable of handling it.

As you know, my family is in the automobile business. We rely heavily on radio advertising to reach consumers. For that reason, I closely follow trends in the radio and television advertising markets.

I have been paying particular attention to the proposed merger between Sirius Satellite Radio and XM Satellite Radio and wanted to let you know that I am strongly opposed to FCC approval of the merger.

If approved, this merger would be one of the most anti-consumer initiatives in recent memory. Creating a monopoly on satellite radio would limit consumer chose in service providers, limit the number of channels for current subscribers and cot off rural Americans from a valued source of news and information.

News reports have indicated that the merged company would have to eliminate some channels in order to make room on each spectrum for the merged company's channels. XM and Sirius have admitted that while offering a lower-priced option, premium service would be required to get the best of both services.

What is a subscriber to do if this merger happens? Presumably, they purchased a particular system because of what it offered – perhaps because of the pro football or pro baseball package. If a merger happens, they could be stuck with either paying more money for the service they once enjoyed or having a completely useless and expensive black box lying around in the garage.

Perhaps the most disenfranchised consumers would be those in rural areas. Satellite radio serves as an economical way for rural Americans to get news, sports and music. These areas frequently have few local radio options, so by making satellite radio less affordable – or with poorer reception – much of rural America would find their choices dramatically limited by what their radio antenna could pick up.

We are obviously also concerned about the impact of this merger on advertising rates and the ability to reach consumers.

I appreciate you taking the time to review my concerns and hope that the FCC will reject this merger. Please let me know if I can answer any questions or provide any additional information.

Dill Ciciy

Tabitha Daly

Consultant/Community Volunteer

112 Winged Foot Drive

Franklin, TN 37069

No. of Copies rec'd Q

List ABCDE